

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY J. BRODZKI,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 11-389
	)	
STATE OF PENNSYLVANIA,	)	
	)	
Defendant.	)	

MEMORANDUM

Gary L. Lancaster,  
Chief Judge.

March 31, 2011

Before the court are plaintiff's motion for leave to proceed in forma pauperis and his pro se complaint. [Doc. No. 1]. For the reasons set forth below, plaintiff's motion for leave to proceed in forma pauperis will be granted, and his complaint will be dismissed as frivolous.

Plaintiff, Anthony Brodzki, appears to assert a claim pursuant to section 1983 of the Civil Rights Act of 1871, 42 U.S.C. § 1983. Plaintiff's unintelligible complaint appears to seek compensatory and injunctive relief from unnamed police officers who have allegedly violated his rights protected by the United States Constitution.

I. Motion for Leave to Proceed In Forma Pauperis

We first address plaintiff's motion for leave to proceed in forma pauperis.

Congress has authorized the federal courts to allow a party to proceed with the commencement, prosecution, or defense of an action in forma pauperis. 28 U.S.C. § 1915(a). In doing so, Congress recognized the public policy concern that persons who are unable to pay fees or give security should be permitted to prosecute or defend actions that affect their legal rights. Because it appears that plaintiff is unable to pay the costs associated with commencing this action, we will grant him leave to proceed in forma pauperis.

## II. Complaint

Next, we turn to plaintiff's pro se complaint.

In enacting section 1915, Congress granted the courts an extra measure of authority when evaluating an in forma pauperis action. Under that section, the court shall determine if the action is frivolous, or fails to state a claim on which relief may be granted. Id. at §§ 1915(e)(2)(b)(i), (ii). If it so finds, the court may dismiss a claim sua sponte, even before the summons issues. Johnstone v. United States, 980 F. Supp. 148, 150 (E.D. Pa. 1997).

Plaintiff's complaint is unintelligible and he has failed to set forth any allegations that shed light on the cause of action he pursues, who the claims are against, and why the case has been brought before this court. Although plaintiff

proceeds pro se, this does not excuse him from the requirement to set forth non-frivolous allegations and state a claim on which relief may be granted.

Based on the foregoing, we will dismiss plaintiff's complaint as frivolous.

An appropriate order follows.

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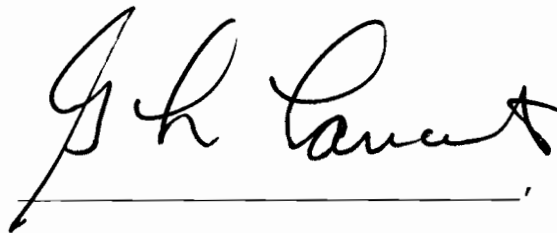
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	)	
Plaintiff,	)	
	)	Civil Action No. 11-389
v.	)	
	)	
STATE OF PENNSYLVANIA,	)	
	)	
Defendant.	)	

ORDER

AND NOW, this 31 day of March, 2011, IT IS HEREBY  
ORDERED that plaintiff's motion for leave to proceed in forma  
pauperis is GRANTED.

IT IS FURTHER ORDERED, that plaintiff's complaint is  
DISMISSED as frivolous.

BY THE COURT:

  
\_\_\_\_\_, C. J.

cc: Anthony J. Brodzki  
6900 Herman Jared Drive  
North Richland Hills, TX 76182